

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

ANDREW JAMES KOSTER,

Plaintiff,

Case No. 1:23-cv-00718

Hon. Paul L. Maloney

v

KALAMAZOO COUNTY, KALAMAZOO COUNTY
SHERIFF DEPUTY DAVID SCHOLTEN (4962),
KALAMAZOO COUNTY SHERIFF DEPUTY JEFF
NICHOLS (1200), KALAMAZOO COUNTY SHERIFF
DEPUTY TANNER BOYSEN (6100), KALAMAZOO
COUNTY SHERIFF DEPUTY COLLIN JUSZCZYK
(6371), KALAMAZOO COUNTY SHERIFF DEPUTY
AMBER HOLMES (0996), **OFFICER LINDSEY
DENHARDER (12565)**, and OFFICER CHRISTIAN
SMITH (14542),

Defendants.

ANTHONY PAULOVICH &
WORRALL PLLC
Patricia L. Worrall (P62984)
Levi T. Smith (P80484)
Attorneys for Plaintiff
835 Mason Street, Suite C220
Dearborn, MI 48124
(313) 406-9722; (888) 343-1676 (fax)
trish@trishlaw.com
levi@anthonylitigation.com

ROSATI, SCHULTZ, JOPPICH &
AMTSBUECHLER, P.C.
Andrew J. Brege (P71474)
Alexandra L. Page (P84663)
Attorneys for Defendant Lindsey Denharder
822 Centennial Way, Ste. 270
Lansing, MI 48917
(517) 886-3800
abrege@rsjalaw.com
apage@rsjalaw.com

CUMMINGS, MCCLOREY, DAVIS & ACHO
Allan C. Vander Laan (P33893)
Kristen L. Rewa (P73043)
Attorneys for Kalamazoo County Defendants
2851 Charlevoix Drive SE, Ste. 327
Grand Rapids, Michigan 49546
(616) 975-7470
avanderlaan@cnda-law.com
krewa@cnda-law.com

DEFENDANT LINDSEY DENHARDER'S MOTION TO DISMISS

NOW COMES Defendant Officer Lindsey Denharder, through counsel, and pursuant to Fed. R. Civ. P. 12(b)(6), for the reasons stated in the accompanying brief support, moves this Court to dismiss Plaintiff's complaint. Concurrence was sought by way of phone discussion with Plaintiff's counsel, and the same was denied.

Dated: July 10, 2023

Respectfully submitted,
ROSATI, SCHULTZ, JOPPICH, & AMTSBUECHLER, P.C.
/s/ Andrew J. Brege
Andrew J. Brege (P71474)
Attorney for Defendant Lindsey Denharder
822 Centennial Way, Suite 270
Lansing, MI 48917
(517) 886-3800
abrege@rsjalaw.com

PROOF OF SERVICE

I hereby certify that on July 10, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to the attorneys of record identified in the caption.

Dated: July 10, 2023

Respectfully submitted,
ROSATI, SCHULTZ, JOPPICH, & AMTSBUECHLER, P.C.
/s/ Andrew J. Brege
Andrew J. Brege (P71474)
Attorney for Defendant Lindsey Denharder
822 Centennial Way, Suite 270
Lansing, MI 48917
(517) 886-3800
abrege@rsjalaw.com